

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

1.-11. (Canceled)

12. (Previously Presented) A monoclonal antibody as deposited under DSM ACC 2457.

13. (Currently Amended) A method for identifying the presence of a malignant cancer cell comprising: (a) providing a tissue biopsy sample; and (b) determining the level of expression in the tissue biopsy sample of the protein consisting of the amino acid sequence (SEQ ID NO: 2):

MAAAEGPVGDELWQTWLPNHVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLL
TRNVVFGGLGGELFLWDGEDSSFLVVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPT
QHHVALIGIKGLMVLELPKRWGKNSEFEGGKSTVNCSTTPVAERFFTSSTSLTKHAAWYPS
EILDPHVLLTSDNVIRIYSLREPQTPTNVILSEAEESLVLNKGGRAYTASLGETAVAFDFGPL
DAVPKTLFGQNGKDEVVAYPLYILYENGETFLTYSLLHSPGNIWKAVGSIAHASAAEDNYG
YDACAVALCLPCVPNILVIATESGMLYHCVVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVEL
ELALKLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAGVHSVGLTWIHKLHKFLGSDEE
DKDSLQELSTEQKCFVEHILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTV
HPASPPLLCTREDVEVAESSLRVLAETPDSFEKHRSILQRSVANPAFLKASEKDIAPPPEECL
QLLSRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKKQLEDLSYCREERKSLREMAERLA
DKYEEAKEKQEDIMNRMKKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHLGNAIKQVTM
KKDYQQQKMEKVLSPKPTILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF,

by using the monoclonal antibody deposited under DSM ACC 2457, which binds to the protein, wherein the tissue biopsy sample comprises a malignant cancer cell if the expression level of the protein is greater than the expression level of that protein in healthy or normal control tissue.

14. (Currently Amended) The method according to claim 13, wherein said malignant cancer cell is a cell in an epithelial or mesenchymal tumor.

15. (Previously Presented) The method according to claim 13, wherein said tissue biopsy sample is from a mammal.

16. (Previously Presented) The method according to claim 15, wherein said mammal is a human.

17. (Canceled)

18. (Currently Amended) A method for identifying the presence of a malignant cancer cell comprising: (a) providing a tissue biopsy sample; and (b) determining in the tissue biopsy sample the level of expression of a transcript coding for the protein consisting of the amino acid sequence of SEQ ID NO: 2:

MAAAEGPVGDELWQTWLPNHVVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLT
RNVVFGGLGGELFLWDGEDSSFLVVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQ
HHVALIGIKGLMVLELPKRWGKNSEFEGGKSTVNCSTTPVAERFFTSSTSLTLKHAAWYPSEI
LDPHVLLTSDNVIRIYSLREPQTPTNVIISEAEESLVLNKGRAYTASLGETAVAFDFGPLD
AVPKTLFGQNGKDEVVAYPLYILYENGETFLTYSLLHSPGNIWKAVGSIAHASAAEDNYGY
DACAFLCLPCVPNILVIATESGMLYHCVVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVELE
LALKLASGEDDPFDSDFSCPVKLHRDPKCPSTRYHCTHEAGVHSVGLTWIHLKHLKFLGSDEED
KDSLQELSTEQKCFVEHILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHP
ASPLLCTREDVEVAESSLRVLAETPDSFEKHRSILQRSVANPAFLKASEKDIAPPEECLQLL
SRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKKQLEDLSYCREERKSLREMAERLADKY
EEAKEKQEDIMNRMKKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHLGNAIKQVTMKKD
YQQQKMEKVLSPKPTIILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF

that is detectable with the monoclonal antibody deposited under DSM ACC 2457, which binds to the protein, wherein the step of (b) is performed by exposing the sample to an oligonucleotide that is complementary in sequence to the transcript encoding the protein, wherein the tissue biopsy sample comprises a malignant cancer cell if the level of expression of the transcript is greater than the level of that transcript in healthy or normal control tissue.

19.-22. (Canceled)

23. (Currently Amended) A kit for diagnosing the presence of a malignant cancer cell, comprising the monoclonal antibody deposited under DSM ACC 2457, which binds to the protein consisting of the amino acid sequence (SEQ ID NO: 2):

MAAAEGPVGDELWQTWLPNHVVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLT

RNVVFGLGGELFLWDGEDSSFLVVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQ
HHVALIGIKGLMVLELPKRWGKNSEFEGGKSTVNCSTTPVAERFFTSSTSLTLKHAAWYPSEI
LDPHVLLTSDNVIRIYSLREPQTPTNVILSEAEESLVLNKGRAYTASLGETAVAFDFGPLD
AVPKTLFGQNGKDEVVAYPLYILYENGETFLTYISLLHSPGNIWKAVGSIAHASAAEDNYGY
DACAFLCLPCVPNILVIATESGMLYHCVVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVELE
LALKLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAGVHSVGLTWIHKLHKFLGSDEED
KDSLQELSTEQKCFVEHILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHP
ASPPLLCTREDVEVAESSLRVLAETPDSFEKHRSILQRSVANPAFLKASEKDIAAPPPEECLQLL
SRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKKQLEDLSYCREERKSLREMAERLADKY
EEAKEKQEDIMNRMKKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHLGNAIKQVTMKKD
YQQQKMEKVLSLPKPTILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF.

24. (Previously Presented) The kit of claim 23, further comprising a nucleic acid that binds to a nucleic acid transcript that encodes the protein consisting of the amino acid sequence (SEQ ID NO: 2):

MAAAEGPVGDELWQTWLPNHVVFLRLREGLKNQSPTEAEKPASSSLPSSPPPQLLT
RNVVFGLGGELFLWDGEDSSFLVVRLRGPSGGGEEPALSQYQRLLCINPPLFEIYQVLLSPTQ
HHVALIGIKGLMVLELPKRWGKNSEFEGGKSTVNCSTTPVAERFFTSSTSLTLKHAAWYPSEI
LDPHVLLTSDNVIRIYSLREPQTPTNVILSEAEESLVLNKGRAYTASLGETAVAFDFGPLD
AVPKTLFGQNGKDEVVAYPLYILYENGETFLTYISLLHSPGNIWKAVGSIAHASAAEDNYGY
DACAFLCLPCVPNILVIATESGMLYHCVVLEGEEDDHTSEKSWDSRIDLIPSLYVFECVELE
LALKLASGEDDPFDSDFSCPVKLHRDPKCPSRYHCTHEAGVHSVGLTWIHKLHKFLGSDEED
KDSLQELSTEQKCFVEHILCTRPLPCRQPAPIRGFWIVPDILGPTMICITSTYECLIWPLLSTVHP
ASPPLLCTREDVEVAESSLRVLAETPDSFEKHRSILQRSVANPAFLKASEKDIAAPPPEECLQLL
SRATQVFREQYILKQDLAKEEIQRRVKLLCDQKKKQLEDLSYCREERKSLREMAERLADKY
EEAKEKQEDIMNRMKKLLHSFHSSELPVLSDSERDMKKELQLIPDQLRHLGNAIKQVTMKKD
YQQQKMEKVLSLPKPTILSAYQRKCIQSILKEEGEHIREMVKQINDIRNHVNF.

25. (Previously Presented) The kit of claim 23 further comprising a control protein sample, which comprises the protein consisting of the amino acid sequence depicted in SEQ ID NO: 2 or an antigenic part thereof.

26.-29. (Canceled)

30. (Currently Amended) A method for identifying the presence of a malignant cancer cell comprising (a) providing a tissue biopsy sample; and (b) determining the level of expression in the tissue biopsy sample of a protein consisting of the amino acid sequence depicted in SEQ ID NO: 2 using at least one of (i) a monoclonal antibody bearing the accession number DSM ACC 2457 and (ii) a recombinant or chimeric molecule that comprises at least six CDRs of the monoclonal antibody bearing the accession number DSM ACC 2457, which binds to the protein, wherein the tissue biopsy sample comprises a malignant cancer cell if the expression level of the protein is determined to be greater than the expression level of that protein in healthy or normal control tissue.